

TITLE 28

United States Code

*Congressional Service*



Pages 1487-2174

80th Congress — 2d Session

Epochal Legislation

*New*

Title 28 — United States Code  
Judiciary and Judicial Procedure

Approved June 25, 1948

Effective September 1, 1948

WEST PUBLISHING CO.

EDWARD THOMPSON CO.

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Memorandum 1

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U.S. DISTRICT COURT MPLS

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## NEW TITLE 28—UNITED STATES CODE JUDICIARY AND JUDICIAL PROCEDURE

Not since 1911 has Congress passed a bill of such epochal importance to the bench and bar as H.R. 3214 revising laws relating to the Federal judiciary and judicial procedure.

This revision of Title 28 of the United States Code ranks in importance with the Judiciary Act of 1789, the Revised Statutes of 1873-74 and the Judicial Code of 1911.

As a special service to those who administer justice from the bench and at the bar, this pamphlet includes the most authoritative and complete legislative history yet published in connection with a Federal law. Special attention is directed to the table of contents in which is enumerated historical and interpretive aids to a study of the new Title 28 as set out in this pamphlet.

### OUTLINE OF HISTORY

Early in 1944 work on the revision of Title 28 was commenced under the direction of the House Committee on Revision of the Laws. The work was done by the West Publishing Company, of St. Paul, Minnesota, and the Edward Thompson Company, of Brooklyn, New York, compilers of the United States Code. The editorial staffs of these two companies were augmented by expert revisers and consultants, and assisted by an Advisory Committee of distinguished judges and lawyers.

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## NEW TITLE 28—UNITED STATES CODE

The Advisory Committee held its first meeting at Brooklyn, New York, on February 5, 1945, and reviewed the work then completed which comprised Part I of the proposed title.

On May 28, 1945, the Advisory Committee met at Hershey, Pennsylvania, and reviewed the work then completed which comprised Parts I-IV of the proposed title.

Congressman Keogh, Chairman of the House Committee on Revision of the Laws, introduced H. R. 3498 in the seventy-ninth Congress, on June 19, 1945, incorporating Part I of revised Title 28. The bill was referred to such Committee, but no Committee action was taken.

On December 3, 1945 the Advisory Committee met at Washington, D. C., and reviewed the completed revision.

The fourth and final meeting of the Advisory Committee was held at Washington, D. C., on April 1-3, 1946, at which time further recommendations and proposed changes were reviewed.

On July 24, 1946, Congressman Keogh reported an original bill, H. R. 7124, in the seventy-ninth Congress, containing the completed revision, which was committed to the Committee of the Whole House on the State of the Union. House Report No. 2646, July 24, 1946, to accompany the bill, was printed and issued by the House Committee on Revision of the Laws, but the seventy-ninth Congress ended before any further action was taken.

The late Congressman Robsion, Chairman of Subcommittee No. 1 of the House Judiciary Committee, introduced H. R. 2055 in the Eightieth Congress, a successor bill to H. R. 7124, and incorporating laws enacted subsequently to the introduction of H. R. 7124 in the prior Congress. The bill was referred to the House Judiciary Committee which, in the reorganization of Congressional committees, had absorbed the previous House Committee on Revision of the Laws.

Subcommittee No. 1 of the House Judiciary Committee held a hearing on H. R. 2055, on March 7, 1947.

On April 22, 1947, the House Judiciary Committee reported favorably on H. R. 2055, but recommended a substitute bill, H. R. 3214, incorporating additional changes.

Congressman Robsion introduced H. R. 3214 in the Eightieth Congress on April 25, 1947, which was referred to the House Judiciary Committee, and committed to the Committee of the Whole House on the State of the Union. House Report No. 308, April 25, 1947, to accompany H. R. 3214, 80th Congress, was printed and issued by the House Judiciary Committee.

H. R. 3214, with amendments, was passed in the House on July 7, 1947, and was referred to the Senate Judiciary Committee.

### **JUDICIARY AND JUDICIAL PROCEDURE**

A subcommittee of the Senate Judiciary Committee, with Senator Donnell of Missouri as Chairman, held hearings on H. R. 3214, on April 22-24, 1948.

On June 9, 1948, the Senate Judiciary Committee reported out H. R. 3214, with amendments, accompanied by Senate Report No. 1559.

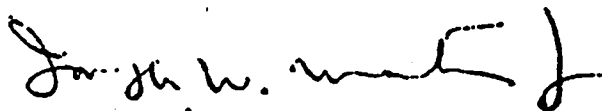
The bill, with amendments, was passed by the Senate on June 12, 1948, followed by a motion to reconsider. The motion to reconsider was withdrawn on June 15, 1948, and on June 16, 1948, the House concurred in the Senate amendments. As finally passed, the bill incorporated all laws affecting Title 28 up to and including January 5, 1948.

### **EFFECTIVE DATE**

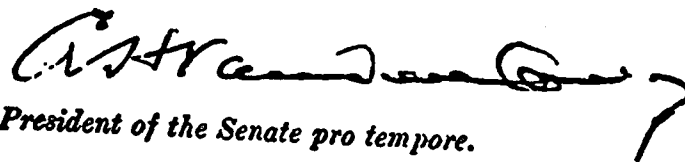
This new Title 28, United States Code, becomes effective on September 1, 1948.

The following are facsimile signatures appended to  
H.R. 3214 — Title 28, United States Code,  
Judiciary and Judicial Procedure.

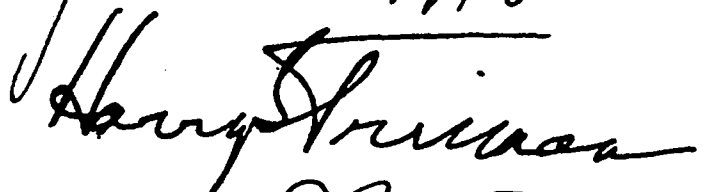
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*Speaker of the House of Representatives.*



*President of the Senate pro tempore.*

Approved  
June 25, 1948  
  
12:25 P.M. E.D.T.

*United States*

**United States Code**  
***Congressional Service***

**80th Congress—Second Session**

**1948**

**New**

**Title 28, United States Code**  
**Judiciary and Judicial Procedure**

**With**  
**Official Legislative History**  
**and**  
**Reviser's Notes**

**St. Paul, Minn.**      **Brooklyn, N. Y.**  
**West Publishing Co.**      **Edward Thompson Co.**

## Acknowledgment

The Publishers hereby wish to record grateful appreciation to the Bench and Bar, as well as to the various Bar Associations and Law Schools, for valuable and practical assistance and cooperation throughout the preparation of this historic new Title of the United States Code, relating to the Judiciary and Judicial Procedure.

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**The Congress**  
**Laws of 80th Congress**  
**Second Session**

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# Title 28, United States Code

## Judiciary and Judicial Procedure

### CHAPTER 646—PUBLIC LAW 773

#### AN ACT

To revise, codify, and enact into law title 28 of the United States Code entitled "Judicial Code and Judiciary".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Title 28 of the United States Code, entitled "Judicial Code and Judiciary" is hereby revised, codified, and enacted into law, and may be cited as "Title 28, United States Code, section —", as follows:

## TITLE 28

### JUDICIARY AND JUDICIAL PROCEDURE

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ORGANIZATION OF COURTS

Part 1

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137. Division of business among district judges.
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§ 81. Alabama

Alabama is divided into three judicial districts to be known as the Northern, Middle, and Southern Districts of Alabama.

Northern District

(a) The Northern District comprises seven divisions.

(1) The Northwestern Division comprises the counties of Colbert, Franklin, and Lauderdale.

Court for the Northwestern Division shall be held at Florence.

(2) The Northeastern Division comprises the counties of Cullman, Jackson, Lawrence, Limestone, Madison, and Morgan.

Court for the Northeastern Division shall be held at Huntsville.

(3) The Southern Division comprises the counties of Blount, Jefferson, and Shelby.

Court for the Southern Division shall be held at Birmingham.

(4) The Eastern Division comprises the counties of Calhoun, Clay, Cleburne, and Talladega.

Court for the Eastern Division shall be held at Anniston.

(5) The Western Division comprises the counties of Bibb, Greene, Pickens, Sumter, and Tuscaloosa.

Court for the Western Division shall be held at Tuscaloosa.

(6) The Middle Division comprises the counties of Cherokee, De Kalb, Etowah, Marshall, and Saint Clair.

Court for the Middle Division shall be held at Gadsden.

(7) The Jasper Division comprises the counties of Fayette, Lamar, Marion, Walker, and Winston.

Court for the Jasper Division shall be held at Jasper.